

Application S/N 10/696,756  
Amendment Dated: November 25, 2005  
Response to Office Action dated: July 21, 2005

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### REMARKS/ARGUMENTS

Claims 1-4, 6-11, 13-21 and 23-24 remain pending in the application, as claims 5, 12 and 22 have been canceled without prejudice. In the Office Action, claims 1-3, 8-10 and 18-20 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0050039 to Baba, et al. (Baba). In addition, claims 1, 8 and 18 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,791,976 to Huh, et al. (Huh). Finally, claims 2-7, 9-17 and 19-24 were rejected under 35 U.S.C. 103(a) as being unpatentable over Baba.

A brief summary of the Baba and Huh references may be helpful here. Baba describes a cellular phone to be used for emergency reports that performs GPS positioning by means of remote control from an emergency report center and transmits positional information to the report center (see Abstract). The phone also includes a siren speaker, which is remotely activated by the emergency report center to attract the attention of people around the user of the phone (see paragraphs 0077 and 0110 and FIG. 3). The siren speaker only has an on/off state – it is either activated to attract attention of people in the vicinity of the phone or it is deactivated – as Baba never mentions anything about different ring or activation modes for the speaker.

Huh discloses a wireless communication method and arrangement that facilitates and allows a user at one end to send DTMF characters from one wireless unit to a second wireless unit completely within tandem free operation mode without changing to tandem operation mode (see Abstract). Huh never mentions anything about changing ring modes of the wireless devices.

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Independent claims 1, 8 and 18 have been amended to clarify that, as part of controlling an operating characteristic of a wireless device in response to DTMF tones, a ring mode of the wireless device is changed from a silent alert mode to an active alert mode to assist a user in locating the wireless device. Support for the amendments can be found on page 16, lines 6-11. No new matter has been added in view of these amendments.

Baba and Huh simply do not disclose, illustrate, teach or even suggest such a concept. In fact, Baba teaches away from the use of silent alert modes because the siren speaker in that reference is intended to draw the attention of people who may be within the vicinity the user of the wireless device in the event of an emergency. A silent alert mode for the siren speaker would defeat its sole purpose, to alert others in the vicinity in the event of a potential emergency.

Dependent claim 7 further recites that data is transferred out of a communications port of the wireless device as part of controlling the operating characteristic of the wireless device. Baba and Huh do not contemplate such a feature.

In view of the above, Applicants submit that independent claims 1, 8 and 18 are patentable over the prior art. Applicants also believe that those claims that depend from these independent claims are patentable, both based on their dependencies on the independent claims and their patentability on their own. Reconsideration and withdrawal of the rejection of the claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing

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the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

**SEND CORRESPONDENCE TO:**

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Respectfully submitted,

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